



04/16/04

3627 #

PATENT
57111-5098

41

IN THE PATENT AND TRADEMARK OFFICE

In Re Patent Application Of: Gordon Michael WIRAM	Group Art Unit: 3627 Examiner: Steven B. McAllister
Serial No.: 09/777,722	CERTIFICATE OF EXPRESS MAILING
Filing Date: February 5, 2001	I hereby certify that this correspondence and identified enclosures are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 and is addressed to: Mail Stop Fee Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on <u>April 16, 2004</u> Express Mail Label No. <u>EV272831326US</u> by <i>Bobbie-Jean Corbin</i>
For: POINT OF SALE SYSTEM	<i>Bobbie-Jean Corbin</i> Bobbie-Jean Corbin

Mail Stop Fee Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir/Madam:

Attached are the following:

- 1) Amendment and Response to Office Action;
- 2) Response to Requirement for Information under 37 C.F.R. 1.105;
- 3) Fee Transmittal;
- 4) Check No. 004962064 in the amount of \$568.00; and
- 5) Return Postcard.

Respectfully submitted,

STEVEN R. HANSEN
Registration No. 39,214

Date: 4/14/04

JEFFER, MANGELS, BUTLER & MARMARO LLP
1900 Avenue of Stars, Seventh Floor
Los Angeles, CA 90067
(310) 203-8080

RECEIVED
APR 21 2004
GROUP 36

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TYPE
MR 15 2004
EE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 568.00)

Complete if Known

Application Number	09/777,722
Filing Date	February 5, 2001
First Named Inventor	Gordon Michael WIRAM
Examiner Name	Steven B. McAllister
Art Unit	3627
Attorney Docket No.	57111-5098

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number 10-0440
Deposit Account Name Jeffer, Mangels, Butler & Marmaro LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL(1) (\$)			568

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity	Small Entity	Fee from below		Fee Paid
		Extra Claims	Fee	
Total Claims	52	-30** =	22	18 = 396
Independent Claims	7	-5** =	2	86 = 172
Multiple Dependent				
SUBTOTAL (2) (\$)				568

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)			0

(Complete if applicable)

Name (Print/Type)	Steven R. Hansen	Registration No. (Attorney/Agent)	39,214	Telephone	(310) 203-8080
Signature	<i>steven r. hansen</i>			Date	April 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
Gordon Michael WIRAM)	Art Unit: 3627
Serial No.: 09/777,722)	Examiner: Steven B. McAllister
Filed: February 5, 2001)	
For: POINT OF SALE SYSTEM)	
)	
)	

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 and is addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2004,
Express Mail Label No. EV272831326US,
by Bobbie-Jean Corbin
Bobbie-Jean Corbin

RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 C.F.R 1.105

I the undersigned, GORDON MICHAEL WIRAM, submit this response to the Examiner's requirement for information on behalf of myself and on behalf of U-Haul International, Inc. ("U-Haul"), the assignee of the present application, and state as follows:

1. I am the inventor of the present invention and am employed by U-Haul. I am authorized to respond to the Examiner's requirement for information on behalf of U-Haul.

2. I have made a reasonable and diligent effort to obtain information responsive to the Examiner's requirement for

information. Set forth below is the information which was obtained as a result of my efforts. The information is organized according to the three topics listed in the Office Action, dated January 14, 2004.

3. The submission of this response is not intended as an admission that the information contained herein constitutes prior art against the claims of the present application. U-Haul does not waive any rights to take any action which would be appropriate to remove as a competent reference any activities or publications that are determined to constitute *prima facie* prior art against the claims of the present application.

A. Any information regarding applicant's or assignee's public use of a computerized reservation system prior to February 5, 2000 in which the system has any claimed elements of the invention.

4. Prior to February 5, 2000, a Personal Computer ("PC") based Point of Sale system was in use by U-Haul and certain U-Haul dealers. Although the system was implemented on personal computers and/or computer networks, it was not connected or coupled to an internet server, and thus, was not available through the internet. This PC-based system included a rental feature having a customer information section and a payment section, a reservation feature having a customer information section and an equipment information section, and a payment section, having a cash section, check section and credit card section. The PC-based system further included a transfer feature

having an equipment information section, a reporting feature comprising a closing report, a reservation report, an inventory report, an equipment due report and a refund report, as well as a marketing section having a marketing message relating to the moving equipment rental business. In addition, the PC-based system included a customer information section that stored and recalled customer information, as well as an equipment information section that stored and recalled information pertaining to a transaction. It also included a rental feature with a printable rental agreement.

5. The PC-based system was not directly used by U-Haul's customers. Instead, U-Haul, U-Haul owned and operated stores, or U-Haul's dealers would input information provided by customers into the system.

6. At no time prior to February 5, 2000 did U-Haul or U-Haul's dealers publicly use a point of sale system containing any of the presently claimed features which was coupled to an internet server or available via the internet.

B. Any information regarding any computerized reservation system used by any entity other than the assignee prior to February 5, 2001 in which the system had any claimed element of the invention.

7. It is my understanding that Budget and Ryder used a PC-based reservation/rental program prior to February 5, 2001. Whether the respective programs were used by the public as opposed to internally by Budget and Ryder personnel is unknown

and not readily available to U-Haul or myself. However, I further understand that neither system was coupled to an internet server or available via the internet. Both the Ryder and Budget programs included the following features: a rental feature with a payment section, a reservation feature with a payment section, a returned equipment section, a closing report, an inventory report, and a reservation report. The Ryder system included a reservation report. Whether the Budget system included such a report is unknown and not readily available to U-Haul or myself. It is my understanding that neither the Budget nor Ryder systems included an equipment transfer function, a status reporting function, or a feature which recalls stored customer and equipment information and then processes a rental transaction.

8. It is my understanding that a company called Solutions by Computer had a rental business software program for use by contractors or general rental stores prior to February 5, 2001. However, the specific functionality of the software is unknown and not readily available to U-Haul or myself.

C. Any non-patent literature known by the applicant or assignee discussing any computerized reservation system having any element of the claimed invention published prior to February 5, 2001.

9. It is unknown and not readily available to U-Haul or myself whether any non-patent literature that is responsive to this request exists. However, two publications, "Rental Management" and "Rental Equipment Register" may have relevant information. Neither U-Haul nor I have copies of these publications which contain any relevant, responsive information.

Dated: April 12, 2001

Gordon Michael Wiram
Gordon Michael Wiram